

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 6 December 1596 and proved 11 February 1597, of Lord Burghley's servant, Bernard Dewhurst (c.1533-1596), whose letter to Lord Burghley dated 2 September 1573 contains important details of Oxford's financial affairs (see Cecil Papers 159/110). The testator is also referred to in a letter dated 6 September 1596 from Oxford to Sir Robert Cecil, CP 44/63.

FAMILY BACKGROUND

According to the Latin inscription on the monument to the testator in Cheshunt church, he was from Lancashire. See Bowles, Charles E.B., *Settlement of Lands in Edmonton, Enfield, and Elsewhere Made the 31st of May, 1589*, (London: Mitchell and Hughes, 1889), pp. 34-5 at:

<https://books.google.ca/books?id=1aJ4AAAAIAAJ&pg=PA34&hl>

See also Barnett, Richard C., *Place, Profit and Power; A Study of the Servants of William Cecil, Elizabethan Statesman* (Chapel Hill: University of North Carolina Press, 1969), pp. 59-63, and the *ODNB* entry for his second son, Robert Dewhurst (1576/7-1645).

For reasons which are unclear, the testator was commonly referred to by correspondents as 'Mr Barnard' rather than 'Mr Dewhurst'. In CP 63/92, a letter dated 3 September 1598 from John Clapham to Sir Robert Cecil, Dewhurst is referred to as 'Mr Barnard', and is similarly referred to in a letter from Ralph Bowes to Lord Burghley considered to date from September 1592. See Green, Mary Anne Everett, ed., *Calendar of State Papers, Domestic Series, of the Reigns of Elizabeth and James I, Addenda, 1580-1625*, (London: Longman & Co., 1872), pp. 339-40 at:

<http://books.google.ca/books?id=exESAAAAYAAJ&pg=PA340>

Barnett notes a reference by Hurstfield to an account from 1580 ('given to Mr Barnard, one of my Lord's secretaries'), and concludes that 'it can reasonably be suggested that Dewhurst was commonly referred to as Mr. Barnard'. See Hurstfield, Joel, *The Queen's Wards*, (London: Longmans, Green, 1958), p. 265, and Barnett, pp. 60-1.

For reasons which are equally unclear, the testator was also referred to by the surname 'Deowx', rather than 'Dewhurst', in a letter from Lord St John dated 11 April 1595 which is addressed 'To my verie lovinge frende Mr Bernarde Deowx, attendinge on the right hon{or}able the Lo{rd} Treasurer'. See CP 132/20 and:

<https://archive.org/stream/calendarofmanusc05grea#page/166/mode/2up>

The entry recording the knighting, in 1611, of the testator's son, Bernard Dewhurst (d.1617), gives variant spellings of the name as Dias, Dyose and Demsturt. See Shaw, p. 150 at:

<https://archive.org/stream/knightsofengland02shawuoft#page/n159/mode/2up>.

For Sir Bernard Dewhurst's death in 1617 see Maclean, John, ed., *Letters From George Lord Carew to Sir Thomas Roe*, (Camden Society, 1860), p. 122 at:

<http://books.google.ca/books?id=n1xAAQAAMAAJ&pg=PA122>

See also Green, Mary Anne Everett, ed., *Calendar of State Papers, Domestic Series, of the Reign of James I, 1611-1618*, (London: Longman, Brown, 1858), p. 487 at:

<http://books.google.ca/books?id=3vsUAAAAQAAJ&pg=PA487>

MARRIAGE AND ISSUE

Bernard Dewhurst married Anne Warde, a niece of Magdalene Cheke, Lord Burghley's sister-in-law by his first marriage. Magdalene Cheke had married firstly Lawrence Eresby, and secondly John Purvey (c.1525-1583). For the will of Magdalene (nee Cheke) Purvey, proved 11 November 1590, see TNA PROB 11/76/302. For Lawrence Eresby, see Alford, Stephen, *Kingship and Politics in the Reign of Edward VI*, (Cambridge University Press, 2002), p. 145 at:

<http://books.google.ca/books?id=jK2Xhf45dPkC&pg=PA145>

For John Purvey, see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/purvey-john-1525-83>

According to the will below, the testator had five sons, Thomas, Robert, Henry, Barnard and John, and two daughters married to husbands surnamed Dormer and Drywood. For the testator's children, see also the pedigree in Bowles, *supra*, p. 35.

After the testator's death, his widow, Anne (nee Warde) married Roger Harlakenden (d.1603), who had defrauded Oxford in the sale of Colne Priory in early 1592. For the will of Roger Harlakenden, see TNA PROB 11/101/320.

RM: T{estamentum} Barnardj Dewhurst

In the name of God, Amen. I, Bernard Dewhurst of Westminster within the county of Middlesex, gentleman, finding myself sick and weak in body but yet in perfect memory, I thank God, do make this my last will and testament for the disposition of all and singular my leases, goods and chattels:

And first I do will and bequeath unto Thomas Dewhurst, my eldest son, the sum of one thousand and five hundred pounds of current English money, to be paid him at such time as he shall come to the age of one and twenty years;

And I will that in the meantime the said sum of one thousand five hundred pounds shall remain in the custody, disposition and occupation of Anne, my living [sic?] wife, and of my trusty and loving friends, William Pitt of Westminster aforesaid and Mr Henry Best of London, scrivener, in such sort that my said wife and the said William Pitt and Henry Best shall lend out the said sum of fifteen hundred pounds in careful and frugal sort unto sufficient men for the benefit of my said son and increase of his stock until he shall come to his said age of 21 years, taking assurance for the repayment thereof from time to time in the name of my said son, Thomas, and of the said William Pitt and Henry Best, joint obligees with my said son, upon trust and confidence to the use of my said son, and out of the profits and interest of the said stock of money to give and allow unto my said son, Thomas, such reasonable allowance for his yearly maintenance as shall be fit for him until he shall come to the said age of one and twenty years;

And if it happen my said son, Thomas, to decease before he accomplish the said age of one and twenty years, being unmarried at the time of his such decease before his said age of one and twenty years, then my will and meaning is that the said sum of fifteen hundred pounds so to him bequeathed with the increase and mean profits thereof (such money as shall be allowed him from time to time for his maintenance deducted and allowed) shall be and remain unto Robert, my second son, if he be then living, and in case he be dead, to my next eldest son then living, the same to be paid him at his accomplishing of the age of four and twenty years;

Item, I give and bequeath unto my said son, Robert, the sum of three hundred pounds of current English money, to be paid unto him at his age of four and twenty years and not before, which sum my will and meaning also is that my executors of this my last will and testament and the said William Pitt and Henry Best shall in good and frugal sort lend out and employ according to their best discretion for the further benefit and increase of the said sum and stock so bequeathed unto my said son, Robert, until he shall come to the age of 24 years, and out of the profits and increase of the said stock of £300 to give and allow unto my said son, Robert, such reasonable yearly allowance for his maintenance as shall be fit by the consent and good liking of my very good friend, Mr Henry Maynard;

And if it shall happen my said son, Robert, to decease before he come to the age of 24 years, being unmarried at the time of his such decease before his age of 24 years, then my will and meaning is that his said portion of £300 and the increase hereof (defalking his maintenance) shall be and remain unto all my sons then living to be equally divided amongst them, to be paid them at the accomplishing of their several ages of 24 years;

Item, I do give and bequeath unto my three younger sons, viz., Henry, Bernard and John, the sum of £200 apiece of current English money, to be paid them at their several ages of 24 years and not before, which said sums my will and meaning also is that my executors and the said William Pitt & Henry Best shall in good and frugal sort let out and employ for the further benefit and increase of my said three younger sons' portions, and out of the increase and benefit made and received by the employing of the said sums and stocks of money to yield and allow such a competent and convenient sum for their yearly maintenance as my executors and Mr Henry Maynard shall think fit;

And if it shall happen any of my said sons Henry, Bernard or John to decease before he shall accomplish the said age of four and twenty years, being unmarried at the time of his or their such decease before his said age of 24 years, then my will and meaning is that his and their portions so deceasing and the increase thereof (defalking his maintenance) shall be and remain unto such of my four younger sons as shall be then living to be equally divided amongst them, to be paid them at their several ages of 24 years;

Item, I give and bequeath unto my said well-beloved wife the sum of one thousand pounds of current English money, together with all my plate, jewels and household stuff;

Also I do give and bequeath unto my said wife my lease of my house at Westminster and my lease of the site and demesnes of Haddam in the county of Hertfordshire, nevertheless upon this hope and confidence, that she will deal well and like a loving and kind mother with my son ,Thomas, and all the rest of my children;

Item, I do give and bequeath unto my son-in-law, Mr Dormer, the sum of one hundred pounds, parcel of the sum of two hundred pounds which he oweth me;

Also I give and bequeath unto my son-in-law, Mr Drywood, the sum of £120 which he doth owe me, and I do by this my will discharge him of all bonds and specialties which I have for the same debt;

Item, I do give and bequeath unto my said loving friends, William Pitt & Henry Best, as a remembrance of me and in lieu of their great pains taken and are to be taken by them about my business, that is to say, the sum of £20 unto the said William Pitt and the sum of ten pounds unto the said Henry Best;

Item, I do give and bequeath unto every of my servants, both menservants and maidservants, one whole year's wages apiece as I do now severally pay them;

Item, I do constitute, ordain and make my well-beloved wife and my said son, Thomas Dewhurst, executors of this my last will and testament;

And for the better performance of this my will I do request my said good and especial friend, Mr Henry Maynard, to be an overseer of the same and to be a means to help my said executors and my children by his lawful favour & good advice, and in remembrance

of the old friendship between us, I do give and bequeath unto the said Henry Maynard my ring in which is set a diamond which I have used to wear on my finger;

And the rest and residue of all my goods and chattels not bequeathed, my funeral charges defrayed and legacies performed and my debts paid, I do give and bequeath unto my said executors;

Item, I do give unto Master Neale, the vicar of Cheshunt in the county of Hertfordshire, the sum of five pounds of current English money;

Item, I do give and bequeath unto my said wife the rents, issues, profits and commodities of my lands, tenements and hereditaments in the county of Essex which I bought of Drywood, to have and to hold the same unto my said wife for term of her natural life;

And in witness of this my last will and testament I have hereunto put my hands and seal the sixth day of December in the nine and thirtieth year of the reign of our Sovereign Lady Elizabeth by the grace of God of England, France and Ireland Queen, Defender of the Faith etc. Sealed and subscribed by the said Bernard Dewhurst the day and year above-written. Thomas Bellot, Gilbert Makeringe [sic?], John Norton.

Probatum fuit testamentum suprascriptum apud London coram venerabili viro Magistro Will{el}imo Lewin legum doctore Curie Prerogatiue Cantuariensis Magistro Custode siue Com{m}issario Vndecimo die mensis ffebruarij Anno Domin{i} iuxta cursum et computationem Ecclesie Anglicane Millesimo Quingentesimo Nonagesimo Sexto Iuramento Magistri Edwardi Say notarij publici procuratoris Anne Dewhurst relicte et Thome Dewhurst executorum in huiusmodi testamento nominat{orum} Quibus com{m}issa fuit Administratio bonor{um} Iurium et creditorum dicti defuncti De bene et fideliter administrand{o} &c Ad sancta Dei Evangelia Iurat{i}

[=The above-written testament was proved at London before the worshipful Master William Lewin, Doctor of the Laws, Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the eleventh day of the month of February in the year of the Lord according to the course and reckoning of the English Church the thousand five hundred ninety-sixth by the oath of Master Edward Say, notary public, proctor of Anne Dewhurst, relict, and Thomas Dewhurst, executors name in the same testament, to whom administration was granted of the goods, rights and credits of the said deceased, sworn on the Holy Gospels to well and faithfully administer etc.]